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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,968	01/26/2001	Katsushi Sato	275739US6	5245
22850	7590	12/23/2005		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER BONSHOCK, DENNIS G	
			ART UNIT 2173	PAPER NUMBER

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,968

Applicant(s)

SATO ET AL.

Examiner

Dennis G. Bonshock

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2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Final Rejection

Response to Amendment

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment as received on 10-20-2005.

2. Claims 1-25 have been examined.

Status of Claims:

3. Claims 1-3, 7-9, 13-15, and 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba et al., Patent # 6,392,669, hereinafter Matoba and Pietropaolo et al., Patent # 6,351,765, hereinafter Pietropaolo.

4. Claims 4, 5, 10, 11, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba, Pietropaolo, and Protheroe et al., Patent # 6,414,686, hereinafter Protheroe.

5. Claims 6, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba, Pietropaolo, and Crow et al., Patent # 6,538,665, hereinafter Crow.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3, 7-9, 13-15, and 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba et al., Patent # 6,392,669, hereinafter Matoba and Pietropaolo et al., Patent # 6,351,765, hereinafter Pietropaolo.

8. With regard to claims 1, 7, and 13, Matoba teaches a reservation registration apparatus, method, and storage medium (see column 2, line 41), that combines a reservation subject icon (see column 3, line 41), a means for recording the start time of a piece of media (see column 3, line 28), elements being controlled by defined start times in the timeline (see column 3, lines 28-41 and figure 6), and provides the user with an option for changing the schedule in which a user can specify a schedule bar (307) to move and then upon either a drag-and-drop operation or a changing of the numeric starting/ending time in an input window, the change can be implemented (see column 9, lines 32-61, and figure 2). Matoba teaches a dragging of time based depictions (supra), however, doesn't specifically teach a time based display area that enables an "icon" to be moved "onto" the display area with the display area displaying the corresponding time division a selection means for receiving input media operating to select and mix formats of the at least one component of the media, and conversions means for converting said formats of at least one component of the media so that input media for said arbitrary reservation subject can be properly preformed. Pietropaolo teaches a media editing system similar to that of Matoba, but teaches a interface that more closely resembles that of the claimed invention by explicitly teaching the use of a time based display area (see column 11, line 55), the functionality of being able to move icons into this display area (see figure 9 and column 11, line 52), a receiving of input media form

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the reservation subject, the input having at least one component (video) (see column 1, lines 5-12, and column 2, lines 4-10), the system receiving media of different formats (see column 1, lines 5-12 and column 2, lines 4-10 and lines 35-43), controlling the beginning and ending times based on the users placement of the media in the timeline (see column 11, line 52 through column 12, line 21), and converting video and audio formats for use in the editing system (see column 1, lines 5-7 and column 14, lines 5-15). It would have been obvious to one of ordinary skill in the art, having the teachings of Matoba and Pietropaolo before him at the time the invention was made to modify the schedule management system of Matoba to include the time based display and the functionality of dragging icons into the display area, the interface for receiving media components, possibly of different formats, convertible for implementation, of Pietropaolo. One would have been motivated to make such a combination because importing icons via drag-and-drop to the time based display for provides the user with a simple means to import media in one of a plurality formats, convertible for implementation, where they can keep track of when the specific media will be played, both references teach a graphical display for use in scheduling information to aid the user in a reservation of a specific time period to schedule a particular function.

9. With regard to claims 2, 8, and 14, Matoba further teaches the said recorded media being program executable (see column 7, line 30).

10. With regard to claims 3, 9, and 15, Matoba further teaches the detection of the first end, corresponding to a program starting time and the second end, corresponding

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to a program ending time (see figure 1 and column 3, line 28), and reservation being preformed based on these values (see column 3, line 35).

11. With regard to claim 19, which teaches the at least one component being an audio component, Pietropaolo teaches, in column 2, lines 4-10, the media editor being an video and/or audio editor.

12. With regard to claim 20, which teaches the at least one component being an video component, Pietropaolo teaches, in column 2, lines 4-10, the media editor being an video and/or audio editor.

13. With regard to claim 21, which teaches the formats of the at least one component includes an analog format, Pietropaolo teaches, in column 1, lines 5-12, the system receiving both analog and digital video.

14. With regard to claim 22, which teaches the formats of the at least one component includes an digital format, Pietropaolo teaches, in column 1, lines 5-12, the system receiving both analog and digital video.

15. With regard to claim 23, which teaches the formats of the at least one component includes an optical format, Pietropaolo teaches, in column 1, lines 5-12, the system receiving both analog and digital video, which could obviously have come from a optical source.

16. With regard to claim 24, which teaches the reservation subject playing a disc drive, Pietropaolo teaches, in column 6, lines 30-37 and in figures 3 and 4, the user importing audio and video information via an import screen which is capable of

accessing media both locally and remotely over a network, where figure 3 shows a computer tower having a disc drive.

17. With regard to claim 25, which teaches the reservation subject receiving a signal from a radio, Pietropaolo teaches, in column 6, lines 30-37 and in figures 3 and 4, the user importing audio and video information via an import screen which is capable of accessing media both locally and remotely over a network, where receiving audio information via a radio signal it obvious.

18. Claims 4, 5, 10, 11, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba, Pietropaolo, and Protheroe et al., Patent # 6,414,686, hereinafter Protheroe. Matoba and Pietropaolo teach the schedule management system as rejected above in claims 1-3, 7-9, and 13-15. They however fail to teach the ability to move whole reservations around on the display screen, or to move one end of a reservation (clipping). Protheroe teaches a multimedia editing system similar to that of Matoba and Pietropaolo, but further teaches the ability to move whole reservations around on the display screen (see column 6, line 40), and she also teaches the process of clipping (see column 6, line 43). It would have been obvious to one of ordinary skill in the art, having the teachings of Matoba, Pietropaolo, and Protheroe before him at the time the invention was made to modify the scheduling management system of Matoba and Pietropaolo to include the said editing functionality of Protheroe. One would have been motivated to make such a combination because importing and exporting a piece of media anytime you need to change it's location or properties would be superfluous.

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19. Claims 6, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba, Pietropaolo, and Crow et al., Patent # 6,538,665, hereinafter Crow.

Matoba and Pietropaolo teach the schedule management system as rejected above in claims 1-3, 7-9, and 13-15. They however fail to teach the ability to drag media into a trash bin for deletion. Crow teaches a media presentation scheme similar to that of Matoba and Pietropaolo, but further teaches the ability to drag pieces of media into a trash bin (see column 9, line 50). It would have been obvious to one of ordinary skill in the art, having the teachings of Matoba, Pietropaolo, and Crow before him at the time the invention was made to modify the schedule management system of Matoba and Pietropaolo to include the trash removal system of Crow. One would have been motivated to make such a combination because this form of deleting items has become a standard interface in most operating systems today.

Response to Arguments

20. The arguments filed on 10-20-2005 have been fully considered but they are not persuasive. Reasons set forth below.

21. The applicants' argue that the Office Action has not provided a prima facie case of obviousness, in that it doesn't provide references in an analogous field of art nor is there motivation to combine the references, any combination changing the principle operation.

22. In response to applicant's argument that Matoba is nonanalogous art to that of Pietropaolo, it has been held that a prior art reference must either be in the field of

applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, though the reference pertain to scheduling two different subjects, both teach a graphical display of scheduling information to aid the user in a reservation of a specific time period to schedule a particular function.

23. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both references teach a graphical display for use in scheduling information to aid the user in a reservation of a specific time period to schedule a particular function. Mantoba teaches in column 9, lines 32-61, the registration process in which a user is able to modify schedule bars either via a drag-and-drop operation or by changing the starting/ending times in an input window. Mantoba further teaches that the scheduled items can be objects (not just people) (see column 8, lines 40-45). Pietropaolo teaches an analogous system in which a user is able to move icons in this display area (see figure 9' and column 11, line 52) controlling the beginning and ending times of media scheduling

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based on the users placement of the media in the timeline (see column 11, line 52 through column 12, line 21).

24. The applicants' argue that neither Matoba and Pietropaolo relate to scheduling the recording or manipulation of input media

25. In response, the examiner respectfully submits that Pietropaolo teaches, in column the system receiving media of different formats (see column 1, lines 5-12 and column 2, lines 4-10 and lines 35-43), and converting video and audio formats for use in the editing system (see column 1, lines 5-7 and column 14, lines 5-15). This can be seen, for example in Peitropaolo's editing system receiving audio and video in both analog and digital formats and digitizing and compressing the elements for later access. Both video and audio are known in the art to be types of media.

Conclusion

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

27. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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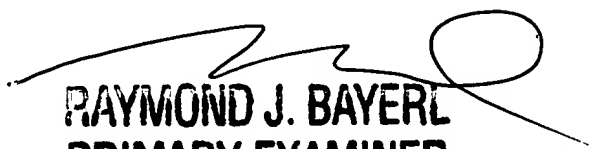
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

29. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

30. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12-20-05
dgb



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173